

August 26, 2014

A regular meeting of the Council of the Town of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., August 26, 2014.

Members present: Mayor Robert T Wandrei; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman W. D. Tharp; and Vice Mayor James A. Vest

Members absent: None

Staff present: Town Manager Charles P. Kolakowski; Town Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Wandrei opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Wandrei declared that the minutes of a regular Council meeting held on August 12, 2014, were approved as distributed.

Town Manager Kolakowski reported on the following:

- hopefully going out to bid in three weeks for the Centertown project that will probably commence in late fall or early spring
- recycling – a new outlet for some recyclables will be available at the Orange Street site – the Bedford Domestic Violence Group is going to be placing a dumpster to accept clothes and shoes, which they will be able to raise funds for the services they provide
- asked for a short closed session to discuss ongoing litigation

Mayor Wandrei said there would be a meeting on August 26 at 6:00 p.m. at the Bedford Primary School concerning the closing of Bedford Primary and Thaxton Elementary – members of Council were invited to attend. The School Board is meeting on September 2 at 6:00 p.m. at Liberty High School.

Vice Mayor Vest, Chairman of the Finance Committee, said the Committee met earlier in the evening and discussed with the Town Manager the impact that the Governor's budget cuts might have. It was reported that the 2013-14 Audit is moving along well and is ahead of schedule.

Councilman Tharp, Chairman of the Solid Waste Committee, said the Committee met earlier in the evening and passed a motion to direct the Town Manager to prepare and distribute an RFP concerning the collection of solid waste curbside, both for residents and commercial pickup.

Mayor Wandrei said the only revision to the agenda was the short closed session at the end of the meeting.

The Clerk of Council read aloud the following Notice of Public Hearing:

August 26, 2014

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the Planning Commission at 5:30 p.m. on Thursday, August 7, 2014 and by Town Council at 7:00 p.m. on Tuesday, August 26, 2014 at the Town Municipal Building, Council Hall, 215 E. Main Street for the following purpose:

- To consider abandonment of a Town right-of-way adjacent to tax map parcels
212 2 A T; 212 2 B T; 212 3 5 T; 212 3 6 T; 212 3 7 T; 212 3 8 T; 212 3 9 T; 192 3 3 T; 192 4 2 T and 212 A 3 T on Jeter Street. The request is being made by Rush Inc., 1540 Nichols Road, Bedford, VA 24523.

Information regarding this abandonment is on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to this request will have an opportunity to express their view at this hearing.

By the Authority of the Planning
Commission and Town Council

Mayor Wandrei opened the public hearing at 7:07 p.m. As there were no comments, the Mayor closed the public hearing at 7:07 p.m.

Clerk of Council Hatcher read aloud the following Public Hearing Notice:

PUBLIC HEARING NOTICE

Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. This Code section applies to all locality funds, i.e., General Fund, Enterprise Fund, Capital Fund, etc.

At the end of Fiscal Year 2014, the Town had numerous projects which were not completed or encumbered by a purchase order. The funds for these projects are needed in order to complete designated work and therefore must be reappropriated to Fiscal Year 2015. The cumulative total

August 26, 2014

of the FY 2014 appropriations itemized is \$1,876,402.21. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required. A public hearing will be held on August 26, 2014, during the regularly scheduled Town Council meeting for discussion regarding this budget amendment.

Information regarding this is on file in the office of the Town Manager.

Anyone who is in favor of or opposed to this request will have an opportunity to express their view at this hearing.

By Town Council of the
Town of Bedford

Mayor Wandrei opened the public hearing at 7:09 p.m. As there were no comments, the Mayor closed the public hearing at 7:09 p.m.

Town Manager Kolakowski reported that a plat creating a subdivision adjacent to Jeter Street was recorded in the Circuit Court Clerk's Office in Plat Book 2 at Page 10. Part of this plat includes extension of Spruce Street southward beyond Jeter. Town staff has been unable to discover any historical action taken by elected officials of the Town to exercise any right of dedication since the recording of the plat. At the request of an adjacent property owner, Rush Inc., the Planning Commission conducted a public hearing at its regular meeting on August 7, 2014. The Planning Commission recommends that the Town Council withdraw the interests and rights of the Town within the portion of the plat related to the proposed extension of Spruce Street.

The Town Manager said that Council was requested to approve the proposed ordinance withdrawing the interests and rights of the Town within the portion of the plat which references the proposed extension of Spruce Street.

On motion by Vice Mayor Vest, seconded by Councilman Tharp, voted upon and carried by a roll call vote, Council adopted the ordinance withdrawing the interests and rights of the Town within the portion of the plat which references the proposed extension of Spruce Street. Roll call vote follows:

Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	abstained
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Mayor Wandrei	aye

The Ordinance follows as adopted:

August 26, 2014

ORDINANCE NO. 14-13

**AN ORDINANCE VACATING THE TOWN OF BEDFORD'S
INTEREST IN AN UNIMPROVED SECTION OF
SPRUCE STREET LYING SOUTH OF JETER STREET**

WHEREAS, an unimproved section of Spruce Street runs adjacent to Lot "A" and property of Foutz and to Lot "B" on a survey entitled "Plat of the Wills Property," prepared by S.S. Lynn and recorded in the Clerk's Office of the Circuit Court of Bedford County in Plat Book 2, at Page 10; and

WHEREAS, Rush Inc. is the fee simple owner of Lot A and Lot B as shown on the plat; and

WHEREAS, Rush Inc. has petitioned the Town Council to vacate the portion of Spruce Street lying adjacent to property owned by Rush Inc.;

**NOW THEREFORE BE IT RESOLVED BY THE TOWN
COUNCIL OF THE TOWN OF BEDFORD VIRGINIA:**

Town Council hereby abandons and withdraws its interests and rights to the unimproved portion of Spruce Street lying to the west of Parcel B and to the west of property of Foutz as shown on the plat entitled "Plat of the Wills Property," prepared by S.S. Lynn and recorded in the Clerk's Office of the Circuit Court of Bedford County in Plat Book 2, at page 10.

Town Manager Kolakowski said that at the end of each fiscal year, the Town has purchase orders which are outstanding representing work that has not been completed. These represent goods and services that have already been ordered but have not yet been received or any invoices that have not been paid as of June 30, 2014. Town staff is requesting the reappropriation of the funds that are outstanding on purchase orders as of June 30, 2014, to the budget for Fiscal Year 2015. Council has received a detailed list of the amounts requested by account number. The total of the requested FY 2014 purchase order appropriations is \$177,466.08. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget. Mr. Kolakowski said Council was requested to approve the reappropriation of purchase orders.

On motion by Vice Mayor Vest, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council approved the reappropriation of purchase orders. Roll call vote follows:

Councilman Hailey	aye
Councilman Rush	aye

August 26, 2014

Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Mayor Wandrei	aye

The list of Purchase Orders Outstanding for Fiscal Year 2014 follows – Sorted by Fund:

GENERAL FUND			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
10033110 552300	VPN Box VOR VCI	1,355.00	Police
10033110 560120	Law Manuals	1,281.75	Police
10033110-533117	Roof for Police Storage Unit	2,952.60	Police
10044115 560172	Sidewalk Project	97,165.00	Public Works
10044120 560178	Road Design for OLE TPKE DR.	1,720.42	Public Works
10044240 531401	Groundwater Monitoring -OLD	7,650.00	Public Works
10044240 559010	Corrective Action - OLD	17,971.00	Public Works
		130,095.77	
GENERAL CAPITAL PROJECTS FUND			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
50088150 581948	CENTERTOWN/D-DAY Project	320.00	Public Works
		320.00	
SOLID WASTE FUND			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
17964240 531402	Groundwater Monitoring - NEW	1,260.00	Solid Waste
17964240 533203	Engineering Services	10,000.00	Solid Waste
		11,260.00	
ELECTRIC FUND			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
19981910 560091	Tires & Tubes - Digger Truck	798.18	Electric
19981920 531404	Operate Hydro Plant 2014	4,990.13	Electric
19981940 560170	Fuses, Fuse Blocks & Holders	792.00	Electric
19981970 560183	Transformer	14,710.00	Electric
		21,290.31	
ELECTRIC CAPITAL PROJECTS FUND			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
59981920 581450	Amend FERC Min Flow Restriction	14,500.00	Electric
		14,500.00	
TOTAL OF ALL OUTSTANDING PURCHASE ORDERS		177,466.08	

August 26, 2014

The Town Manager reported that at the end of Fiscal Year 2014, the Town had numerous projects which were not completed or encumbered by a purchase order. The funds for these projects are needed in order to complete designated work. After review of the requests for rollover of funds, the Town Manager has recommended that the list of projects be approved for rollover from Fiscal Year 2014 and reappropriated to Fiscal Year 2015. A detailed listing of the amounts requested by account number has been given to Council. The cumulative total of the FY 2014 appropriations itemized is \$1,876,402.21. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required. The public hearing was held earlier in the meeting.

Mr. Kolakowski stated that Council was requested to approve the rollover and reappropriation of funds in the amount of \$1,876,402.21 after the public hearing to provide funds for various local government projects per the list given to Council. Council was also requested to designate \$1,876,402.21 to revenue account Prior Year Reserves 100091.441499 from FY 2014 fund balance to offset the increase in expenditures.

On motion by Vice Mayor Vest, seconded by Councilman Carson, voted upon and carried by a roll call vote, Council approved the rollover and reappropriation of funds in the amount of \$1,876,402.21 to provide funds for various local government projects per the list given to Council and to designate \$1,876,402.21 to revenue account Prior Year Reserves 100091.441499 from FY 2014 fund balance to offset the increase in expenditures. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Mayor Wandrei	aye

The list of projects for rollover from Fiscal Year 2014 and reappropriated to Fiscal Year 2015 follows:

ENDOWMENT FUNDS			RESPONSIBLE
ACCOUNT			
NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
40033110 560109	Donations - Various	18,418.60	Police Comm.
50044115 582943	Community Improvement Fund	50,000.00	Development Comm.
50088150 581933	Economic Development Fund	281,414.41	Development Comm.
50088150 582919	Enterprise Zone Maintenance	<u>21,434.97</u>	Development

August 26, 2014

371,267.98

GRANT FUNDED ACTIVITIES

RESPONSIBLE

ACCOUNT

NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
10033110 557261	DMV Grant 2014	16,651.60	Police
10033110 557264	Byrne Justice Assistance Grant	3,338.00	Police
10033210 556534	DFP Aid To Localities	30,599.22	Fire
50088150 581948	Centertown Improvement Project	542,180.00	Public Works
		592,768.82	

UNBILLED ACTIVITIES AS OF 6/30/14

RESPONSIBLE

ACCOUNT

NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
10033110 560103	Asset Forfeiture - State	8,955.82	Police
10033110 560113	Asset Forfeiture - Federal	46.67	Police Comm.
50044115 582916	GPS Utilities	12,657.00	Development
50044340 582930	ADA Improvements	17,330.92	Public Works
		38,990.41	

VDOT FUNDED ACTIVITIES

RESPONSIBLE

ACCOUNT

NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
10044120 533118	Guard Rail Replace/Maintenance	38,380.13	Public Works
10044131 560195	Storm Drainage Projects	68,559.33	Public Works
50044115 582934	Crosswalk Improvements	163,140.45	Public Works
50044115 582940	Ole Turnpike Ext.	305,020.52	Public Works
		575,100.43	

INCOMPLETE WORK AS OF 6/30/13

RESPONSIBLE

ACCOUNT

NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
various 511000	COLA Adjustment	2,535.82	Various
50011242 581732	Utility Billing Software	48,375.00	Finance
50011261 581729	Penetration Testing	6,000.00	I.T.
50044115 581978	Walking Trail Overlay - Liberty Lake Park	1,381.00	Public Works
50044320 581976	Bank Stabilization - Liberty Lake Park	5,535.75	Public Works
50044320 581979	Replace Drinking Fountains - Liberty Lake Park	8,000.00	Public Works
50044340 581979	Replace Drinking Fountains - Municipal Bldg.	6,000.00	Public Works
59981920 581441	Turbine Packing Box - Unit 4	21,706.00	Electric
59981920 581451	Replace #5 Turbine Box	15,241.00	Electric
59981920 581448	Hydro-Computer Program	20,000.00	Electric
59981920 581449	Refurbish Tail Gate	13,500.00	Electric

August 26, 2014

59981940 581446	Replace Poles - Mosely	75,000.00	Electric
59981940 582407	Harmony Village Infrastructure	75,000.00	Electric
		<u>298,274.57</u>	

TOTAL OF ALL REQUESTED ROLLOVER FUNDS 1,876,402.21

Debbie Roberts, Deputy Treasurer, presented the following report on uncollected taxes:

REAL ESTATE TAX STATUS AS OF AUGUST 14, 2014

TAX YEAR	ASSESSMENT	UNCOLLECTED	COLLECTED
2010-2011	\$3,675,433.18	\$ 74.82	99.99%
2011-2012	\$3,705,108.57	\$11,339.55	99.69%
2012-2013	\$3,687,127.96	\$10,012.90	99.72%
2013	\$ 711,489.95	\$ 5,636.29	99.20%
2014	\$1,427,716.20	\$627,017.47	56.08%

PERSONAL PROPERTY TAX STATUS AS OF AUGUST 14, 2014

2009	\$1,186,639.03	\$6,216.44	99.47%
2010	\$1,166,053.58	\$6,644.38	99.43%
2011	\$1,174,495.32	\$6,947.66	99.40%
2012	\$1,206,202.01	\$7,504.26	99.37%
2013	\$1,174,951.81	\$12,962.15	98.89%

State Relief Annual Reimbursement is \$280,647.01

Mayor Wandrei congratulated Ms. Roberts on her fine effort.

Councilman Rush moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation. Councilman Hailey seconded the motion. The motion was voted upon and carried by the following roll call vote:

August 26, 2014

Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Mayor Wandrei	aye

Council adjourned into closed session at 7:15 p.m. The following non-council members attended: Town Manager Kolakowski, Town Attorney W. W. Berry, IV, and Assistant Town Manager, Barrett Warner

Council reconvened into open session at 7:20 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the Town of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

On motion by Councilman Rush, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Mayor Wandrei	aye

Mayor Wandrei adjourned the meeting at 7:21 p.m.